

Notice of Allowability	Application No.	Applicant(s)	
	10/684,603	BUNNOW ET AL.	
	Examiner	Art Unit	
	Rodney H. Bonck	3681	

-- **The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment received March 07, 2005.
2. ☒ The allowed claim(s) is/are 1,2,5-10,12-17 and 19-29.
3. ☒ The drawings filed on 14 October 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. ☐ Notice of References Cited (PTO-892) | 5. ☐ Notice of Informal Patent Application (PTO-152) |
| 2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date <u>03252005</u> . |
| 3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. ☒ Examiner's Amendment/Comment |
| 4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. ☒ Examiner's Statement of Reasons for Allowance |
| | 9. ☐ Other _____ |

The following action is in response to the amendment received March 7, 2005.

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Claim 18 has been canceled.

The above change has been made to obviate an objection under 37 CFR 1.75(c), since claim 18 does not further limit the claims from which it depends.

Authorization for this examiner's amendment was given in a telephone interview with Thomas C. McDonough on March 28, 2005.

Allowable Subject Matter

Claims 1, 2, 5-10, and 12-17 and 19-29 are allowed.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance:

The prior art of record fails to show or render obvious an axle driving apparatus as defined in claim 1 including a plate secured to the vehicle by two fasteners and

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engaged to the slider member, wherein the length of the plate is greater than the distance between the two fasteners such that the plate has two stable positions, wherein the first stable position causes the slider member to be disengaged from the wheel hub, and the second stable position causes the slider member to be engaged to the wheel hub.

The art of record also fails to show or teach an engagement apparatus as defined in claim 10, wherein the plate for moving the slider has a first end secured to the vehicle, a second end secured to the vehicle, and an opening having a plurality of edges; and a portion of the slider extends through the opening and engages the plate through the edges of the opening.

The art fails to show or render obvious a vehicle as defined in claim 19, wherein each wheel assembly of the vehicle includes a plate engaged to the slider member; and wherein an opening is formed in the plate, the opening being wider at one end and the slider member extends through the opening.

The prior art of record fails to show or render obvious an axle driving apparatus as defined in claim 23 including a plate secured to the vehicle by two fasteners and engaged to the slider member, wherein the length of the plate is greater than the distance between the two fasteners such that the plate has two stable positions, the first stable position causing the slider member to be in an engaged position and the second stable position causing the slider member to be in a disengaged position.

The art of record also fails to show or teach an engagement apparatus as defined in claim 29 including a plate for moving the slider, the plate having a first end

secured to the vehicle, a second end secured to the vehicle, and an opening between the first and second ends; the opening having a plurality of edges and a portion of the slider extends through the opening and engages the plate through the edges of the opening.

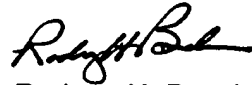
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney H. Bonck whose telephone number is (703)-308-2904. The examiner can normally be reached on Monday-Friday 7:00AM - 3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles A. Marmor can be reached on (703)-308-0830. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Rodney H. Bonck
Primary Examiner
Art Unit 3681

rhb
March 28, 2005